

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held online on Thursday, 16 July 2020.

PRESENT:

Mr G K Gibbens (Chairman)
Mr M J Northey (Vice-Chairman)

Mrs A D Allen, MBE, Mr M J Angell, Mr M A C Balfour, Mr P V Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P M Beresford, Mrs R Binks, Mr R H Bird, Mr T Bond, Mr A Booth, Mr A H T Bowles, Mr D L Brazier, Mr J Burden, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mr J Clinch, Mrs P T Cole, Mr N J Collor, Ms K Constantine, Mr A Cook, Mr G Cooke, Mrs M E Crabtree, Mr D S Daley, Mr M C Dance, Miss E Dawson, Mrs T Dean, MBE, Mr D Farrell, Mrs L Game, Mr R W Gough, Ms S Hamilton, Mr P M Harman, Mr P M Hill, OBE, Mr A R Hills, Mrs S V Hohler, Mr S Holden, Mr P J Homewood, Mr A J Hook, Mr M J Horwood, Mr E E C Hotson, Mrs L Hurst, Mr J A Kite, MBE, Mr P W A Lake, Mr B H Lewis, Ida Linfield, Mr R L H Long, TD, Mr R C Love, OBE, Mr G Lymer, Mr S C Manion, Mr R A Marsh, Ms D Marsh, Mr J P McInroy, Mr D D Monk, Mr D Murphy, Mr P J Oakford, Mr J M Ozog, Mr R A Pascoe, Mr M D Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A M Ridgers, Mr C Simkins, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr M Whiting, Mr M E Whybrow and Mr J Wright

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services), Mr B Watts (General Counsel) and Mrs A Hunter (Principal Democratic Services Officer)

UNRESTRICTED ITEMS

223. Apologies for Absence

The General Counsel reported apologies from Mr Butler, Mr Cooper, Mr Koowaree, Mr Lymer, Mr Monk and Mrs Stockell.

224. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda

None.

225. Minutes of the meeting held 17 June 2020 and, if in order, to be approved as a correct record

The Chairman stated that consideration of the draft minutes from the meeting on 17 June 2020 would be deferred until the next meeting of the County Council

226. Chairman's Announcements

Mr Ian Thomas

(1) The Chairman stated that it was with regret that he had to inform Members of the death of Mr Ian Thomas, Conservative Member for Whitstable East and Herne Bay West from May 2017.

(2) Mr Marsh, Mr Love, Ida Linfield, Mr Farrell, the Chairman and Mr Robert Thomas paid tribute to Mr Ian Thomas.

(3) All Members present held a minute's silence in memory of Mr Ian Thomas.

(4) After the one-minute silence, the Chairman moved, the Vice-Chairman seconded and it was resolved unanimously that:

“This Council records the sense of loss it feels on the sad passing of Mr Ian Thomas and extends to his family and friends our heartfelt sympathy to them in their sad bereavement.”

Care Homes

(5) The Chairman began his announcements by referring to the COVID-19 pandemic and the impact that it had had on Kent's communities. He formally thanked care workers and all members of staff in Kent's care homes who had worked tirelessly and at personal risk to continue to look after Kent's most vulnerable older residents during the pandemic.

(6) The Chairman also thanked all of Kent's key workers for continuing to deliver vital services to residents during the unprecedented time.

227. Questions

In accordance with Sections 14.15 to 14.22 of the Constitution, 11 questions were asked and replies given. A record of all questions put and answers given at the meeting is available online with the papers for this meeting.

As Mr Lymer was not in the meeting, he received a written response to his question.

228. Report by Leader of the Council (Oral)

(1) The Leader updated the Council on events since the previous meeting and said he would focus on the key challenges and issues that the Council faced in the coming months and the preparations being made to address them. He referred to the progress that had been made in developing the Council's interim strategic plan and environmental strategy and said that these topics would be discussed later in the meeting during the relevant agenda items. He also referred to a risk report which would be submitted to the Governance and Audit Committee, focusing on the Council's financial pressures, the possibility of further outbreaks of COVID-19, winter

pressures, economic pressures, transport issues, the return to school, and the end of the Brexit transition period on the 31 December 2020.

(2) Mr Gough stated that Kent County Council had identified £118m in spending pressures and foregone income as a result of COVID-19. He said Kent County Council had received £67m from the first two tranches of government support. A further tranche of support for local government of £500m had been announced and, based on previous allocations, he anticipated that the Council would receive approximately £8m-£12m. He also said that, despite this support, a significant funding gap would remain. During the period of lockdown, there had been areas of significant underspend in the early months of the financial year, but there was a strong expectation that demand for services, including in Integrated Children's Services, would increase in the autumn. Mr Gough referred to the significant school-related transport funding gap and the need to address the gap in-year. He said that County Council on 10 September would provide an opportunity to focus on the Council's in-year budget position and its plans for the longer term.

(3) Mr Gough stated the £118m he had referred to, did not include any reductions in Council Tax income. Whilst this was an immediate issue for Kent's district councils, it would feedback into Kent County Council's budget later in the year. He went on to say that the government's announcements, suggesting that losses could be spread over three years, were to an extent, a deferral of issues, a number of which must be decided within the spending round. He emphasised the importance of continuing to work on the Council's in-year budget position, preparing for the longer term and continuing to lobby the government for additional support.

(4) Mr Gough acknowledged the concerns that had been raised in relation to pupils returning to school in September, particularly with regards to school transport. He referred to the government's plans for re-opening of schools in September and said that further guidance was expected. He said social distancing requirements would put pressure on bus capacity and that Kent County Council would be expected to intervene to support the provision of additional capacity. He recognised the importance of school transport to parents and schools and said the Council's Public Transport team continued to work hard to ensure that plans were in place for September. He said that, in recognition of the current uncertainty, a part-year option for the purchase of the Kent Travel Saver would be available, with details to follow, as and when social distancing requirements changed. He added that the Council continued to work with transport operators to ensure that plans were brought forward as quickly as possible, to give clarity to parents and the best possible return to school.

(5) Mr Gough referred to recent national media reports about suicides among young people and emphasised the need for caution in identifying deaths as suicides in advance of coroners' findings. He said the reports had arisen from an initiative of Sarah Hammond, Director of Integrated Services (Children's Social Work Lead) to address the impact of school closures on the learning, mental health and social interactions of young people. These issues had also been raised by national figures, such as Her Majesty's Chief Inspector of Education, Children's Services and Skills, and the Children's Commissioner. He said that, while deaths among young people, particularly suicides, were always horrible, it was erroneous to suggest they were more prevalent in Kent than elsewhere. He said it was the report on the issue nationally which had generated references to events in Kent and that children's

services within Kent had provided good support for vulnerable young people during the pandemic, in many respects, going above and beyond that provided elsewhere. The biggest cause for concern had been that as a result of concerns about health, in Kent, as elsewhere, only about 10% of vulnerable children and young people, who were entitled to attend school during lockdown, did so.

(6) Mr Gough referred to plans to deal with local outbreaks of Covid-19 and highlighted Kent's role through its public health function, as well as through a Local Outbreak Engagement Board. He said that a local outbreak plan had been released at the end of the previous month and was subject to ongoing revision. He said the plan would be considered by the Kent Leaders every month, updates would be brought to the Cabinet Members Meeting, and any signs of a local outbreak, would trigger action by a group of Cabinet Members and partners in district and borough councils. He said a Recovery and Resilience plan, in response to the pressure on the Kent economy, was being brought forward and that it had already been shared widely with Members, the business community and external partners. He added that the Council was also working to bring forward an employment task force focusing on the issues relating to young people and others within the labour market during these unprecedented times.

(7) In conclusion, Mr Gough referred to the end of the transition period on 31 December, following the UK leaving the European Union, and to the approach of focusing on models that ensured adequate preparation for international trading including the recently announced border operating model and the development of a portal for the operation of freight services. He emphasised the importance of traffic management and keeping Kent's roads moving especially if government initiatives were not fully successful, particularly at the start. He added that clarity had been sought about the government's approach to enforcement, particularly in relation to vehicles that were not border-ready coming into Kent and district traffic management. He said that the government's announcement regarding Junction 10A of the M20 provided some clarity. However, the County Council had been clear that the proposed lorry park should be part of transition arrangements and not be designed to deal with all issues relating to lorry parking in Kent.

(8) Mr Bird, the Leader of the Opposition, commended the work of the Council in recent months and expressed his views in relation to the uncertain future. He commented on the financial pressures faced by local authorities across the country, and, whilst he acknowledged the additional funding from government, he expressed concern that services would have to be cut back affecting the most vulnerable in society, and inhibiting the ability of the Council's preventative services to help residents and communities recover from the debilitating impact of coronavirus and the lockdown. He also expressed the view that educational inequalities were likely to worsen and, whilst some schools had provided online lessons during the lockdown, many children had been unable to access them or had received no encouragement to engage with education. Whilst he agreed with Mr Gough's comments relating to children returning to school in September, he said the government needed to restore confidence in public transport to avoid road congestion and air pollution and expressed concern for children whose parents did not want them to return to school in September or use public transport to get to school. He also said many children with special needs and their families needed additional support to regain a sense of normality, rebuild social relationships and take a break from their caring responsibilities. Mr Bird also referred to the comments of the Children's Commission,

who had said there were too many teenagers in Kent who were at risk of falling through gaps in the school and social care systems, Mr Bird said that more needed to be done to prevent this generation of teenagers becoming disaffected NEETS or being groomed by criminal gangs.

(9) Mr Bird said the proposed customs post and lorry park in Ashford was preferable to Dover becoming gridlocked or parts of the M20 being shut down, however, in his view, funds would be better spend preserving services in Kent and investing in the future. He considered that the government's negotiations with Britain's largest trading partners had been inadequate and outlined some of the costs being faced by British businesses as a result of post-Brexit border checks. Mr Bird concluded by saying that the biggest threat remained the Covid-19 pandemic. While he was pleased that the national lockdown had ended, he hoped that the government would provide accurate data and adequate support for local authorities where it was necessary to impose local lockdowns.

(10) Mr Farrell, Leader of the Labour Group, started by referring to the comments he had made at the last meeting of the County Council in July about the experiences of Kent residents during the pandemic. He said that attempts to blame carers for outbreaks of the coronavirus in care homes brought shame on the government and that the number of deaths among care home residents was 13 times higher in the UK than in Germany. He asked if the Leader of the Council would consider distancing himself from the Prime Minister's words blaming care workers for Covid-19 deaths in care homes. He referred to the actions of the Commons Health and Social Care Select Committee chairman who, in an article in the Telegraph, had called for all NHS and social care staff to be tested regularly and on the same day had voted, along with the MP for Ashford and others, against mass testing for key workers. Mr Farrell commented on the confusion about the rules on wearing facemasks and the delay of three months between the outbreak of the pandemic and mandating the wearing of facemasks. He commented on a report about deaths among young people with special needs published in the Guardian and emphasised the importance of devising proposals to support all young people, and especially those who were most vulnerable.

(11) Mr Farrell said that he hoped that if there was a further outbreak of the coronavirus that procurement of personal protective equipment at national level would improve. He asked about the trigger points for declaring a second period of lockdown and how businesses would be supported once the current furlough scheme ended. Mr Farrell referred to the current uncertainty in relation to home to school transport and arrangements for the Kent Test if a second period of lockdown was necessary. He also asked the Leader if he would consider sharing information, presented informally to Cabinet members and the Kent Leaders group, with the opposition groups. He referred to the support to local government by the Ministry of Communities, Housing and Local Government, SELEP schemes and the 'Eat Out to Help Out' scheme as well as the proposal to build a customs clearance facility in Ashford. He said this proposal was not the answer to disruption at Kent ports and expressed his concern about the location of the facility and the lack of resident and Member engagement on the matter.

(12) Due to a connectivity issue, Mr Whybrow was unable to give his response to the Leaders' update. The Chairman stated that Mr Whybrow would be asked to provide the Leader with a copy of his response.

(13) Mr Gough replied by referring to the comments which had been made by the Opposition leaders in relation to the Brexit transition period, traffic management and lorry parking in Kent and said that he sought to convey, in his update, the degree to which the council was responding to those challenges and seeking to protect the interests of the people of Kent. He stated that the Council's responsibility was to ensure that Kent was as prepared as possible. He agreed with the comments made about the impact of the lockdown and school closures on children and their families nationally and reiterated the positive work that Sarah Hammond had undertaken to address local concerns. He said Kent's Social Care Services held a proud record of sustaining contact with vulnerable young people and their families and during the lockdown had often used innovative methods to ensure the service was operating effectively.

(14) Mr Gough referred to the extensive work that continued to be undertaken with Kent's schools in terms of the return to school in September, which included a focus on gaps in learning. He said that Richard Long, Cabinet Member for Education and Skills, was considering a proposal to defer the Kent Test to October, which would set out a direction of travel that could be communicated to families. In relation to care homes, he said that the Council continued to work in partnership with social care providers.

(15) Mr Gough stated that, whilst every outbreak of Covid-19 in care homes was a concern, and every death a tragedy, the proportion of care homes in Kent that had experienced an outbreak was 29%, which was the lowest in the South East and much lower than in many areas across the country. He commended the Council's approach, particularly the co-operation between Strategic Commissioning and Commercial Services, in providing PPE to a wide range of care providers in Kent.

(16) In conclusion, Mr Gough stated that he would continue to focus on ensuring that the Council was prepared to meet each of the challenges alluded to and provide the very best possible outcome for Kent's residents

229. Strategic Reset - recovery, resilience and reset in Kent County Council

(1) Mr Gough moved and Mr Oakford seconded the following motion:

"That County Council is asked to:

- a) Consider the fundamental changes in KCC's operating environment and how this will evolve the Strategic Commissioning Authority operating model for the council;
- b) Agree to develop political priorities to inform an Interim Strategic Plan for October 2020;
- c) Agree the roadmap to develop a new 5 Year Plan by 2021 (Appendix A); and
- d) Agree to provide oversight and decision making for the new Strategic Reset Programme (Appendix B)

- (2) Following the debate, the Chairman put the motion as set out in paragraph (1) above to the vote and the voting was as follows:

(For 52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Miss S Carey, Mrs S Chandler, Mr N Chard, Mrs P Cole, Mr N Collor, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr R Long, Mr R Love, Mr S Manion, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr R Thomas, Mr M Whiting, Mr J Wright

Against (14)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr J Clinch, Ms K Constantine, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Abstain (0)

Motion carried

RESOLVED that the

- a) consideration of the fundamental changes in KCC's operating environment and how this will evolve the Strategic Commissioning Authority operating model for the council be noted;
- b) development of political priorities to inform an Interim Strategic Plan for October 2020 be agreed;
- c) the roadmap to develop a new 5 Year Plan by 2021 (Appendix A) be agreed
- d) County Council's oversight and decision making for the new Strategic Reset Programme (Appendix B) be agreed.

230. Kent County Council Approach to Net-Zero

- (1) Miss Carey moved and Mr Hills seconded the following motion:

"That County Council is asked to:

- a) Note the progress made and comment on the proposed approach; and

- (2) Note the indicative funding that will need to be secured to a Miss Carey moved and Mr Hills seconded the following motion:

"That County Council is asked to:

- b) Note the progress made and comment on the proposed approach; and

- c) Note the indicative funding that will need to be secured to achieve this.
- (3) Following the debate, the motion was agreed without a formal vote.
- (4) RESOLVED that the progress made, the comments on the proposed approach and the indicative funding that will need to be secured to achieve this be noted.

231. Select Committee - Affordable Housing

- (1) Mr Whiting moved and Mr Thomas seconded the following motion:

“That the County Council:

- a) Endorse the Select Committee report;
 - b) Thank the Select Committee for a useful report on a complex and challenging issue; and
 - c) Thank the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee.”
- (2) Following the debate, the Chairman put the motion as set out in paragraph (1) above to the vote and the voting was as follows:

For (50)

Mrs A Allen, Mr M Angell, Mrs C Bell, Mr R Bird, Mr T Bond, Mr A Booth, Mr D Brazier, Mr J Burden, Miss S Carey, Mrs S Chandler, Mr N Chard, Mr I Chittenden, Mr N Collor, Ms K Constantine, Mr A Cook, Mrs M Crabtree, Mr D Daley, Mrs T Dean, Mr D Farrell, Mrs L Game, Ms S Hamilton, Mr P Harman, Mr M Hill, Mr T Hills, Mr P Homewood, Mr A Hook, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr B Lewis, Mr R Long, Mr R Love, Mr S Manion, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr M Payne, Mr K Pugh, Miss C Rankin, Mr A Ridgers, Mr C Simkins, Dr L Sullivan, Mr R Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright

Against (3)

Mr A Bowles, Mr J Clinch, Mr H Rayner

Abstain (6)

Mr M Balfour, Mr P Barrington-King, Mr G Cooke, Mrs S Hohler, Mr S Holden, Mr D Pascoe

Motion carried

(3) RESOLVED that the

- a) Select Committee report on Affordable Housing be endorsed;
- b) Select Committee be thanked for a useful report on a complex and challenging issue; and
- c) the witnesses and others who provided evidence be thanked for their valuable contributions to the work of the Select Committee.

232. End of Year Performance Report, 2019/20

(1) Mr Gough moved and Mr Oakford seconded the following motion:

“That the County Council NOTE the Performance Report.”

(2) The motion set out in paragraph (1) above was agreed without a formal vote.

(3) RESOLVED that the Performance Report be noted.

233. Motion for Time Limited Debate

(1) Mr Hook moved and Mr Bird seconded the following motion:

“This Council:

- a) is mindful of the recent death of George Floyd in the United States and of the demonstrations that followed;*
- b) is aware of the depth of public concern expressed during recent weeks in Britain about ingrained institutional racism directed against non-white persons; and*
- c) is conscious of the disproportionate impact of the Covid-19 pandemic on black and minority ethnic residents.*

Therefore, this Council places on record its unequivocal support for BAME people in Kent. In particular, this Council re-affirms its commitment to promoting equality, valuing diversity and combatting unfair treatment and all forms of racial injustice."

(2) Mr Holden proposed and Mrs Prendergast seconded the following amendment:

"This Council:

*a) is mindful of the recent death of George Floyd in the United States and of the demonstrations that followed **in many countries and areas, including Kent;***

~~b) Is aware of the depth of public concern expressed during recent weeks in Britain about ingrained institutional racism directed against non-white persons; and~~

*e) **b) It is also mindful of the emerging evidence that shows a** ~~is conscious of the disproportionate impact of the COVID-19 pandemic on black and minority ethnic residents on~~ **sections of communities in Kent.***

~~Therefore, this Council places on record its unequivocal support for BAME people in Kent. In particular, this Council re-affirms its commitment through its policies and actions to promoting promote equality for all, to valuing value diversity, and to combatting combat unfair treatment and all forms of racial or other injustice."~~

(3) Following the debate, the Chairman put the amendment set out in paragraph (2) above to the vote and the voting was as follows:

For (56)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Miss S Carey, Mr P Carter, Mrs S Chandler, Mr N Chard, Mrs P Cole, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr P Lake, Mr R Long, Mr R Love, Mr S Manion, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr D Monk, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr M Whiting, Mr J Wright

Against (14)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr J Clinch, Ms K Constantine, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Abstain (0)

Amendment Carried

(1) The Chairman put the substantive motion as set out in paragraph (2) above to the vote and the voting was as follows:

For (61)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr J Burden, Miss S Carey, Mrs S Chandler, Mr N Chard, Mrs P Cole, Ms K Constantine, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mr D Farrell, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr P Harman, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr B Lewis, Mr R Long, Mr R Love, Mr S Manion, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr D Monk, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Dr L Sullivan, Mr B Sweetland, Mr M Whiting, Mr J Wright

Against (8)

Mr R Bird, Mr I Chittenden, Mr J Clinch, Mr D Daley, Mrs T Dean, Mr A Hook, Ida Linfield, Mr M Whybrow

Abstain (0)

Substantive Motion Carried

(2) RESOLVED that:

This Council:

- a) Is mindful of the recent death of George Floyd in the United States and of the demonstrations that followed in many countries and areas, including Kent;
- b) It is also mindful of the emerging evidence that shows a disproportionate impact of COVID-19 on sections of communities in Kent.

Therefore, this Council re-affirms its commitment through its policies and actions to promote equality for all, to value diversity, and to combat unfair treatment and all forms of racial or other injustice.